

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37973 of 2020

Arising Out of PS. Case No.-73 Year-2020 Thana- SAHAJITPUR District- Saran

SHAHNAWAZ ALAM Son of Late Wakil Miya, Resident of Village-Sarmi,
Police Station-Sahajitpur, District-Saran. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Sinha, Adv.

For the Opposite Party/s : Md. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 02-07-2021 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in Sahajitpur P.S.

Case No.73 of 2020 registered under Sections 341, 323, 324,
354, 379 and 34 of the Indian Penal Code.

The informant alleged that the petitioner and Idrish Miya had called a panchayat because the son of the informant was blowing musical instrument at high pitch but the petitioner began to abuse and assault the informant with fists and slaps. When the family members of the informant came, the accused persons also assaulted them. The petitioner is alleged to have torn the clothes of the wife of the informant.

Learned counsel for the petitioner submits that there is a land dispute between the two sides for which a suit is pending. It is further submitted that a false case has been lodged only with a view to put the petitioner behind the bar.

Learned A.P.P., however, opposed the prayer for anticipatory bail.

Having considered the submissions and on perusal of the record, it appears that there is omnibus and general allegation of assault. The petitioner is specifically alleged to have torn the clothes of the wife of the informant but it appears that there was a panchayati on the point that the son of the informant was blowing musical instrument at high pitch causing disturbance to the family of the petitioner and both sides have civil dispute for which a suit is pending.

Taking into consideration the facts aforesaid, the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Saran at Chapra in connection with Sahajitpur P.S. Case No.73 of 2020, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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